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## **ARTICLE XIII.C. Outer Village Residential Overlay District**

### **§ 300-82.20. Purposes.**

The purposes of the Outer Village Residential Overlay District are to provide for a variety of one- and two-family housing opportunities in neighborhoods adjacent to Salisbury Square, in a manner compatible with existing neighborhood scale and architectural styles, and to encourage housing development near goods and services.

### **§ 300-82.21. Establishment of district.**

The Outer Village Residential Overlay District is hereby established as an overlay district. The district is bounded on the map titled "Outer Village Residential Overlay District," dated August 26, 2009, which map is hereby incorporated in and made part of this article. The Outer Village Residential Overlay District does not include any portion of any parcel that is included in the Commercial District along Elm Street, Beach Road or Bridge Road.

### **§ 300-82.22. Relationship to existing zoning.**

In the Outer Village Residential Overlay District, all requirements of the underlying district(s) shall remain in effect except where these regulations supersede or provide an alternative to such requirements. In the event that an owner desires to redevelop in accordance with the regulations herein, the rules and regulations of the Outer Village Residential Overlay District shall apply, and by filing an application for a permit for a development subject to these rules and regulations, the owner shall be deemed to accept and agree to them. Where the provisions of the Outer Village Residential Overlay District are silent on a zoning regulation, the requirements of the underlying zoning district shall apply.

### **§ 300-82.23. Use regulations.**

A. Permitted uses. The following uses shall be permitted as of right in the Outer Village Residential Overlay District:

- (1) All uses permitted in the R-2 (Medium-Density Residential) District, excluding mobile home dwelling.
- (2) Up to two dwelling units on a single lot, in any one of the following configurations:
  - (a) Two-family dwelling; or
  - (b) Two one-family detached dwellings on the same lot, provided that neither dwelling contains an accessory apartment dwelling; or
  - (c) One accessory apartment dwelling in a one-family detached dwelling, provided the apartment complies with the standards and conditions of § 300-59A, B, C, D, E, F, G and H of this bylaw, and there is not more than one one-family detached dwelling on the lot.
- (3) Accessory residential uses on the same parcel.

B. Uses authorized by special permit. The following uses may be allowed by special permit from the Planning Board, which shall be the special permit granting authority (SPGA) in the Outer Village Residential Overlay District:

- (1) All uses allowed by special permit in the R-2 District, excluding campground.

C. Prohibited uses.

- (1) Mobile home dwelling.
- (2) Campground.
- (3) Any other uses prohibited under § 300-12 of this bylaw.

**§ 300-82.24. Density and dimensional regulations.**

A. The following density and dimensional regulations shall apply to development in the Outer Village Residential Overlay District. Where the provisions of the Outer Village Residential Overlay District are silent on a zoning regulation, the requirements of the underlying zoning district shall apply:

- (1) Maximum building coverage: 25%.
- (2) Minimum open space % lot area: 20%.

B. The minimum separation between two or more buildings on the same lot shall be 20 feet.

C. For two one-family detached dwellings on the same lot, the minimum side yard setback shall be met by the dwelling closest to the applicable side lot line.

D. If a building is to be erected, reconstructed, altered or moved in an area where the average front yard setback is less than the minimum front yard setback of the underlying zoning district, the average front yard setback may be used. The average front yard setback shall mean the average front yard setback of existing structures on abutting lots on the same side of the street as the proposed new development.

**§ 300-82.25. Special permits.**

The Planning Board shall be the special permit granting authority for uses in the Outer Village Residential Overlay District.

A. Decision criteria. The Planning Board's actions shall be based upon the considerations and procedures in § 300-35 of this bylaw and the degree to which the proposed development:

- (1) Addresses the purposes of the Outer Village Residential Overlay District; and
- (2) Appropriately addresses site-specific attributes or site-specific concerns.

B. Conditions. The Planning Board shall impose conditions in its decision as necessary to ensure compliance with the purposes of this bylaw. Approval of a project shall be conditioned to provide that no further division of land which increases the number of lots or units or results in any alteration of the area to be set aside as open space may occur without a modification of the special permit.

**§ 300-82.26. Off-street parking.**

A. The minimum required off-street parking shall be two spaces per dwelling unit.

B. For the purpose of this section, an off-street parking space is an all-weather, surfaced area having a width of not less than ten (10) feet and a length of not less than twenty (20) feet.

C. The required parking spaces may be located in an attached or detached garage, in a dedicated parking area on the lot, or stacked within the driveway serving the development. When the parking spaces are located outside, the area used for parking shall be graded and drained so as to prevent surface water accumulation within the parking area and to prevent surface water runoff to an adjoining property or the public way.

D. No off-street parking space shall be located within ten feet of the front property line.

E. There shall be a landscaped buffer of not less than four feet between any driveway and the nearest side lot line, and no paved surface areas and no off-street parking shall be permitted within the buffer zone.

**§ 300-82.27. Design standards.**

A. Minimum requirements (mandatory). Unless modified by special permit from the Planning Board, the following design standards shall apply to any new one-family detached dwelling or two-family dwelling in the Outer Village Residential Overlay District:

(1) The front facade and main entrance of the dwelling shall face the street and must be clearly articulated through the use of architectural detailing.

(2) The front entrance of the dwelling facing the street shall be defined by at least one of the following: a porch of at least eight feet in width and depth, pent roof, roof overhang, hooded front door or similar architectural element.

(3) Rooflines shall be pitched or gabled, and there shall be overhanging eaves.

(4) Except for a basement-level garage below grade under a one-family detached dwelling, any garage, carport or other accessory structure, attached or detached, shall be located at least 15 feet behind the front of the principal building facing the front property line. The Planning Board may grant a special permit to waive this requirement when it is infeasible to comply due to physical or other constraints on the lot, subject to the following:

(a) No garage shall be located closer to the front lot line than the foremost facade of the principal building facing the front property line; and

(b) No garage shall occupy more than 40% of the front facade of the building.

(5) All applications under this bylaw may be required to provide a statement by a professional engineer, regarding the effect of the development on stormwater runoff and the treatment of stormwater on the property. New sources of runoff such as from the roof, sheet flow from the driveway(s) and/or parking area(s) and/or any new stormwater runoff that will be created by the proposed project shall not be directed to neighboring properties or to the municipal system.

B. Design preferences (optional).

(1) A building should incorporate architectural styles, building materials, and colors used in surrounding buildings or that are compatible with the neighborhood.

(2) At least 16% of the total area of any front facade, and at least 10% of any side or rear facade, should consist of windows and doors.

(3) A building greater than one story should clearly delineate the boundary between each floor of the structure through belt courses, cornice lines, or similar architectural detailing.

**§ 300-82.28. Open space.**

Open space includes the portion of a lot that is not covered with structures, access roads or driveways, sidewalks, patios, off-street parking or any other material placed on or above the earth which substantially reduces or prevents the natural percolation of water. The open space shall be suitably landscaped with noninvasive, drought-resistant plantings, which may include trees, flowers, shrubs, succulents or ornamental or other grasses, except that where the open space includes wetlands as defined in MGL c. 131, § 40, the requirements of the Salisbury Conservation Commission shall supersede these landscaping requirements.